

REMARKS

Please reconsider the claims in the application in view of the remarks below.

Claim Rejection under 35 U.S.C. §112, Second Paragraph

The Office Action rejected claims 1-52 under 35 U.S.C. §112, second paragraph allegedly because the terms “large” and “regular” are not defined in the claims, and allegedly the specification does not provide a standard for ascertaining the requisite degree to one of ordinary skill in the art. In this reply, independent claims 1 and 26 are being canceled and claims 3 and 28 are being rewritten in independent form to further clarify what is being claimed. Therefore, section 112 rejection is not applicable to the amended claims.

Nonetheless, applicant respectfully disagrees with the rejection for at least the following reasons. The Office Action appears to conveniently omit the term appearing before those terms, namely “predetermined.” The claims recite “a predetermined large size” and “a predetermined regular size.” A person of ordinary skill in the art would understand that a predetermined large and predetermined regular sizes may be implemented depending on a design choice and for example, the computer system used to implement the claimed methods and system. For example, a person having an ordinary skill in this area of technology would understand that with respect to a predetermined large size memory block, allocating a memory block directly from an operating system would mean that the predetermined large size would be at least the minimum size allocated by that operating system. Similarly, with respect to a predetermined regular size, a person having an ordinary skill in this area of technology in light of the recited elements in the claims as a whole would understand that a predetermined regular size would be a size less than a predetermined large size. For at least the foregoing, applicant believes the terminologies

“predetermined large size” and “predetermined regular size” are clear on the face in light of the recited claims.

Claim Rejection – 35 U.S.C. §101

With respect to the rejection of claims 51 and 52, without conceding to the propriety of the rejection on the merits, those claims are being amended to recite “a processor” that performs the recited elements. A processor used for allocating blocks of memory devices is concrete, tangible and has practical utility.

Claim Rejection under 35 U.S.C. §102(b)

The Office Action rejected claims 1-52 under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent No. 6,539,464 to Getov (“Getov”). In this reply, independent claims are being amended to more clearly recite what is being claimed. Getov fails to disclose or suggest every element claimed in independent claims as amended. For example, while Getov discloses comparing block size to a maximum size and allocating or deallocating memory blocks, Getov does not disclose or suggest at least “allocating the requested memory block in the order of from an active memory super block, from a partial super-block, and from a new super-block” claimed in claims 3 and 28. Further, Getov fails to disclose or suggest the additional steps of allocating memory as claimed in those claims and their dependent claims.

Similarly, Getov does not disclose or suggest at least a processor as claimed in claims 51 and 52. Further, Getov does not disclose or suggest at least a method for deallocating claimed in claims 18 and 43 as amended. For example, Getov fails to disclose or suggest at least “reading an anchor field descriptor of an associated memory super-block in order to acquire an availability

descriptor, count descriptor and state descriptor value of the memory super-block" recited in claims 18 and 43.

For at least the foregoing reasons, applicant believes Getov does not anticipate the independent claims in the present application and their respective dependent claims by virtue of their dependencies.

In view of the foregoing, this application is now believed to be in condition for allowance, and a Notice of Allowance is respectfully requested. If the Examiner believes a telephone conference might expedite prosecution of this case, applicant respectfully requests that the Examiner call applicant's attorney at (516) 742-4343.

Respectfully submitted,



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